

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Jim Freid et al.**

Serial No: **10/735,976**

Filed: **December 15, 2003**

For: **SYSTEM AND METHOD FOR STABILIZING
THE HUMAN SPINE WITH A BONE PLATE**

Examiner: **PHILOGENE, Pedro**

Group Art Unit: **3733**

Attorney Docket No.: **5259-03700USC2**

Confirmation Number: **4258**

Certificate of Electronic Deposit:

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being electronically filed with the United States Patent and Trademark Office:

Date of Deposit: 9/9/ 2008

Stacy Sutton Kerby
Signature

STACY SUTTON KERBY
Printed Name

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir,

Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the information listed on the attached SB08A/B form(s) be considered and cited in the examination of the above-identified application. A copy of U.S. Patent(s) and U.S. Patent Application Publication(s) listed on the attached SB08A form is not being submitted with this Information Disclosure Statement pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office. A copy of foreign patent documents as well as the information listed on the attached SB08B form is enclosed for the convenience of the Examiner.

☐ This Information Disclosure Statement is being submitted within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d).

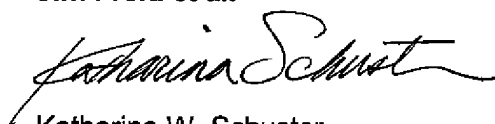
☐ This Information Disclosure Statement is being submitted within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application;

☐ This Information Disclosure Statement is being submitted before the mailing of a first Office action on the merits; or

☒ This Information Disclosure Statement is being submitted before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

Furthermore, pursuant to 37 C.F.R. §§ 1.97(g) and (h), no representation is made that a search has been made or that this information is material to patentability of the present application. Applicant respectfully submits that the claims of Applicant's above-referenced patent application are patentably distinguishable from the listed information.

Respectfully submitted,
Jim Freid et al.



Katharina W. Schuster
Attorney for Applicant
Reg. No. 50,000

SPRINKLE IP LAW GROUP
1301 W. 25th Street, Suite 408
Austin, Texas 78705
Tel. (512) 637-9220
Fax. (512) 317-9088

Please forward all Correspondence to:

ABBOTT LABORATORIES
Dept. 377/AP6A-1
100 Abbott Park Road
Abbot Park, IL 60064-6008
Telephone: (847) 937-6364
Fax No.: (847) 938-2623
Customer No. 23492